

### Remarks

Prior to examination, entry of the foregoing amendment is respectfully requested, in accordance with the provisions of 37 C.F.R. §1.115. The amendment is presented to correct a typographical error which has been noted in the specification.

This paper is also being filed to advise the U.S. Patent Office of information which may be considered "material to patentability" in examining this patent application, in accordance with the provisions of 37 C.F.R. §1.56.

Applicants' Information Disclosure Statement, filed in this matter on June 17, 2005, informed the U.S. Patent Office of a Published International Application, No. WO 02/061292 (Kibblewhite), which had been cited in the Search Report issued during the international stage of International Application No. PCT/US2003/029302, from which the present U.S. Patent Application is derived. This PCT Publication was said to have been published on August 8, 200<sup>3</sup>. It has since been noted that PCT Publication No. WO 02/061292 was actually published on August 8, 200<sup>2</sup>. The notation of this correction is respectfully requested.

It is further noted that International Application No. PCT/US2003/029302 was published under the No. WO 2004/027271, on April 1, 2004. A copy of this PCT Publication is enclosed with this Information Disclosure Statement. This PCT Publication further includes a copy of the Search Report which issued during

the international stage of the PCT application. The documents cited in the PCT Search Report have previously been cited in this matter, in the Information Disclosure Statement of June 17, 2005.

Applicants' Information Disclosure Statement of June 17, 2005, also informed the U.S. Patent Office of an International Application, No. PCT/US02/03920, which had entered the national stage for the United States and which had been assigned the Application No. 10/470,372.

A European Patent Application, No. EP 02 71 4862, was also derived from International Application No. PCT/US02/03920. A Search Report has issued for European Patent Application No. EP 02 71 4862 and a copy of the issued Search Report is enclosed with this Information Disclosure Statement. The following documents were cited in the issued Search Report.

#### U.S. Patents

5,220,839 (Kibblewhite) - Issued: June 22, 1993  
4,899,591 (Kibblewhite) - Issued: February 13, 1990  
4,602,511 (Holt) - Issued: July 29, 1986  
4,471,657 (Voris et al.) - Issued: September 18, 1984  
4,294,122 (Couchman) - Issued: October 13, 1981

#### Foreign Document

EP 0 541 476 (Emerson Electric Co.) -  
- Published: May 12, 1993

It is further noted that U.S. Patent Application No. 10/470,372 has since issued as U.S. Patent No. 6,990,866, on January 31, 2006.

The U.S. Patent Office is further advised of two U.S. Patent Applications, No. 11/344,028 (entitled "Thread Forming Fasteners for Ultrasonic Load Measurement and Control") and No. 11/344,029 (entitled "Load Indicating Member With Identifying Element"), which were co-filed on January 31, 2006.

A copy of EP 0 541 476 (Emerson Electric Co.) is enclosed with this Information Disclosure Statement. Copies of the U.S. patent documents have not been provided in view of the waiver of such requirements for International Applications which entered their U.S. national stage after June 30, 2003 (OG Notices; 05 August 2003).


Consideration of the above-listed documents is respectfully requested under 37 C.F.R. §1.56(a)(2). It is further respectfully requested that the Examiner acknowledge consideration of these documents by initialing the PTO-1449 form (1) which is enclosed with this Information Disclosure Statement and which lists the documents being submitted for consideration, and by providing applicants with a copy of the initialed form.

This Information Disclosure Statement is being submitted under the provisions of 37 C.F.R. §1.97(b), it being the understanding of the undersigned that a first Office Action

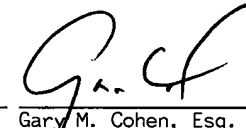
on the merits has not yet been mailed in connection with this patent application. In the event that a first Office Action on the merits has been mailed in connection with this patent application, it is respectfully requested that this Information Disclosure Statement be considered under the provisions of 37 C.F.R. §1.97(c). Any necessary fees can be charged to Deposit Account No. 03-2405.

Corresponding action is earnestly solicited.

Respectfully submitted,

  
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on July 27, 2006.

Date: 7/27/06   
Gary M. Cohen, Esq.